

LEGAL NEWSLETTER

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- **Mgaloblishvili, Kipiani,
Dzidziguri (MKD) Law
Firm**

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Laws and Secondary Legislation

Amendments to the Law of Georgia on Courts of General Jurisdiction

Amendments to the Law of Georgia on Courts of General Jurisdiction dated 20 April 2005, has newly determined the following tiers of the courts of general jurisdiction of Georgia: regional (city) courts, district courts, supreme courts of autonomous republics and the Supreme Court of Georgia.

Order No 153 of the Minister of Finance of Georgia on Processing of Goods in the Customs Territory of Georgia

The mentioned document, dated 21 March 2005, provides for legal regime for processing of goods in the customs territory of Georgia and specifically relates to goods of foreign origin transported into Georgia. Processing of such goods shall be done only upon a single use permit issued by the Customs Department at the Ministry of Finance of Georgia and transfer of a permit to any third person is prohibited. The Order provides for specific conditions for issuing a permit as well as says that processing terms shall be stipulated in a permit itself. The Order is further supplemented by relevant norms of the Customs Code of Georgia and appended by a template of Permit for Processing of Goods in the Customs Territory.

Order No 482 of the Minister of Justice of Georgia, dated 18 March 2005

Amendments were introduced by Order No 482 of the Minister of Justice of Georgia, dated 18 March 2005, into Order of the Minister of Justice No 1181, dated 16 September 2004, whereby a normative act of issuing local government body, as filed to the state registry for subsequent registration, shall be attested by a stamp of issuing body and signed by a person in charge. Such act shall further be attested by relevant territorial unit of the Ministry.

Order No 36 of the Minister of Protection of Environment and Natural Resources,

The Order dated 18 March 2005, elaborates of rules and procedures for **Conservation of Agricultural and Other Lands Damaged as a Result of Leakage of Toxic and Radioactive Substances**. Among the aims of the Order are conservation of damaged land plots and restoration of their fertility. It further addresses specific measures to be carried out by parties whose activities are directly connected with damaging land plots and such measures shall be carried at their expense only.

Laws and Secondary Legislation

Order No 28 of the Minister of Protection of Environment and Natural Resources

A new form of licensing certificate for geological activities was introduced under Order No 28 of the Minister of Protection of Environment and Natural Resources, dated 9 March 2005.

Order No 213 of the President of Georgia

By Order No 213 of the President of Georgia, dated 12 April 2005, five regional courts of Tbilisi are substituted by a single-the Tbilisi City Court-effective from 5 May 2005.

Pending Drafts:

Draft Georgian Law on Licensing and Permitting provides for simplified procedures for issuing of licenses and permits. Some key points of the draft are that: (a) all licenses are divided into usage, activities, general and special typed of licenses; (b) the draft provides for "one-stop shop", whereby a single administrative body ensures acknowledgement of additional licensing and permitting conditions by other administrative body (and, in case another administrative body fails to issue respective document, or fails to acknowledge it in due time, acknowledgement on additional licensing and permitting conditions is deemed to be granted).

The Minister of Finance of Georgia has been authorized to sign **the Agreement on Avoiding Double Taxation on Income and Capital and Prevention from Evasion of Tax Payments with Czech Republic and the Agreement on Avoiding Double Taxation on Income and Capital and Prevention from Evasion of Tax Payments with the Republic of Estonia** per respectively Order No188, dated 4 April 2005, and, Order No189, dated 4 April 2005, of the President of Georgia.

Resolution No 216 of the Parliament of Georgia, dated 23 March 2005, provides for negotiations to be held on entering the legal force of agreement among the Government of Georgia and **IDA** on a project for developing an **agricultural industry** of Georgia and a separate agreement to be entered with **IFAD** on financing such a project.

Mgaloblishvili, Kipiani, Dzidziguri (MKD) law firm was founded in November 1996. It operates as a general partnership and is recognized as well-established, respected leading law firm in Georgia with national, regional and international clients.



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Disclaimer: This Legal update is written as a general guide only. It is not intended to contain definitive legal advice which should be sought as appropriate in relation to a particular matter. If you would like further information on the issues reported here, please contact Mr. Mikheil Gogeshvili at: mgogeshvili@mkd-law.com

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